

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Abu B. Kargbo

v.

Case No. 15-cv-315-PB

Warden, New Hampshire State Prison

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated June 6, 2018, and order the following:

1. Respondent's motion for summary judgment (Doc. No. 89), is granted in full;
2. Petitioner's four motions for reconsideration (Doc. Nos. 100, 101, 102, 103) are denied; and
3. Petitioner's motions to satisfy a state procedural requirement (Doc. Nos. 104, 105), motions for contemporaneous objection (Doc. Nos. 106, 107), and motions to establish cause and prejudice (Doc. Nos. 108, 109) are denied.

"'[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of

Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

Additionally, finding that the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0. The clerk is directed to enter judgment for respondent and close this case.

/s/ Paul Barbadoro

Paul Barbadoro
United States District Judge

Date: July 3, 2018

cc: Abu B. Kargbo, pro se
Elizabeth C. Woodcock, Esq.